

EXHIBIT 189

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Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS
3 SHERMAN DIVISION
4 CIVIL ACTION NO. 4:20-cv-00957-SDJ
5 THE STATE OF TEXAS, et al.,)
6)
7 Plaintiffs,)
8)
9 -vs-)
10)
11 GOOGLE LLC,)
12)
13 Defendant.)

14
15 VIDEO-RECORDED RULE 30(b)(6) DEPOSITION OF
16 STEVEN TATERKA

17 on behalf of State of Indiana

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19
20 The deposition upon oral examination of
21 STEVEN TATERKA, a witness produced and sworn before
22 me, Janine A. Ferren, RMR, CRR, CSR-IL No. 84-4852,
23 Notary Public in and for the County of Hamilton,
24 State of Indiana, taken on behalf of the Defendant,
25 at the offices of Office of the Attorney General,
 Indiana Government Center South, Fifth Floor,
 Indianapolis, Marion County, Indiana, on the
 25th day of April 2024, scheduled to commence at
 1:00 p.m., pursuant to the Federal Rules of Civil
 Procedure with written notice as to time and place
 thereof.

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25 Job No. CS6657993

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1 A For an injunctive relief, yes.

2 Q Those claims could have been brought in state
3 court; correct?

4 MR. WILKERSON: Objection. Form.

5 A Oh, the state antitrust claim? Sure.

6 Q With respect to the parens patriae claims, what
7 categories of people or entities is the state
8 seeking relief on behalf of?

9 A We'd probably include publishers, advertisers,
10 and end users.

11 Q As you sit here today, are you aware of a single
12 publisher in the State of Indiana that uses
13 Google ad tech products to sell display
14 advertising?

15 A Today I cannot identify a particular publisher
16 or advertiser. But my understanding is that
17 discovery is still open and that there may be
18 expert testimony on this issue.

19 Q Does the State of Indiana know how many in-state
20 publishers use Google ad tech products in
21 Indiana?

22 A I don't believe so.

23 Q What is the factual basis for the allegations by
24 the State of Indiana that Google's alleged
25 conducted harmed publishers in the state of

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1 Indiana?

2 A We believe that the common set of facts which
3 Texas has testified to would apply to Indiana,
4 the same as any other state.

5 Q As you sit here today, can the State of Indiana
6 name a single advertiser in the State of Indiana
7 that uses Google ad tech products to sell
8 display advertising?

9 A I can't name a specific advertiser, but I would
10 just reiterate that with discovery still pending
11 and with expert testimony to come, there may be
12 some specific names. In a state of seven
13 million people, there's bound to be some
14 publishers and advertisers here.

15 Q Do you know how many publishers or advertisers
16 in the state -- scratch that, because I already
17 asked about publishers.

18 Do you know how many advertisers there are
19 in the state that use Google ad tech products?

20 A I do not know.

21 Q And when I say --

22 A Same comment about discovery and expert
23 witnesses.

24 Q And when I say "you," you understand I mean the
25 State of Indiana; correct?

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1 nonresponsive.

2 Q Before this last break, do you remember the
3 testimony and the answers that you gave
4 regarding a series of questions about evidence
5 or no evidence as it relates to the magnitude or
6 proportion of harm to Indiana's economy or
7 population? Do you remember that testimony?

8 A I do, I do.

9 Q And as I understand it, your contention is
10 there's no additional Indiana-specific evidence
11 to add to what Indiana and the other states have
12 alleged; is that correct?

13 A That is correct.

14 Q And in regard to your preparation for today,
15 there were no documents that you requested from
16 staff or from counsel that was not provided to
17 you; is that accurate?

18 MS. KLEIN: Objection. Leading.

19 A That's correct.

20 MR. WILKERSON: That's all we have for now.
21 Pass it back.

22 MS. KLEIN: We'll reserve the remainder of
23 our questions for time of trial and for the next
24 witness for the 30(b) (6). Thank you for your
25 time.

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1 STATE OF INDIANA)

) SS:

2 COUNTY OF HAMILTON)

3 I, Janine A. Ferren, a Notary Public in and
4 for the County of Hamilton, State of Indiana at
5 large, do hereby certify that STEVEN TATERKA, the
6 deponent herein, was by me first duly sworn to tell
7 the truth, the whole truth, and nothing but the
8 truth in the aforementioned matter;

9 That the foregoing deposition was taken on
10 behalf of the Defendant, at the offices of Office
11 of the Attorney General, Indiana Government Center
12 South, Fifth Floor, Indianapolis, Marion County,
13 Indiana, on the 25th day of April 2024, commencing
14 at the hour of 1:09 p.m., pursuant to the Federal
15 Rules of Civil Procedure;

16 That said deposition was taken down
17 stenographically and transcribed under my
18 direction, and that the typewritten transcript is a
19 true record of the testimony given by the said
20 deponent; and thereafter presented to said deponent
21 for his signature;

22 That the parties were represented by their
23 counsel as aforementioned.

24 I do further certify that I am a disinterested
25 person in this cause of action; that I am not a

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1 relative or attorney of any party, or otherwise
2 interested in the event of this action, and am not
3 in the employ of the attorneys for any party.

4 IN WITNESS WHEREOF, I have hereunto set my
5 hand and affixed my notarial seal on this 26th
6 day of April 2024.

7
8 
9

10 Janine A. Ferren
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12

13 Seal, Notary Public	My Commission Expires:
14 State of Indiana	April 22, 2024
15 Janine A. Ferren	County of Residence:
16 Commission No. NP0681591	Hamilton
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1 The State Of Texas, Et Al. v. Google LLC

2 Steven Taterka (#6657993)

3 E R R A T A S H E E T

4 PAGE 33 LINE 14 CHANGE _____

5 The word "charter" should be "chartered"

6 REASON Transcription error

7 PAGE 85 LINE 16 CHANGE _____

8 The word "reserved" should be "reserve"

9 REASON Transcription error

10 PAGE _____ LINE _____ CHANGE _____

11 _____

12 REASON _____

13 PAGE _____ LINE _____ CHANGE _____

14 _____

15 REASON _____

16 PAGE _____ LINE _____ CHANGE _____

17 _____

18 REASON _____

19 PAGE _____ LINE _____ CHANGE _____

20 _____

21 REASON _____

22 Steve Taterka

May 21, 2024

23 Steven Taterka

Date

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1 The State Of Texas, Et Al. v. Google LLC

2 Steven Taterka (#6657993)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Steven Taterka, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10 
11 _____

May 21, 2024

12 Steven Taterka

Date

13 *If notary is required

14 SUBSCRIBED AND SWORN TO BEFORE ME THIS

15 _____ DAY OF _____, 20 ____.

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19 NOTARY PUBLIC

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